

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA | : | CIVIL ACTION No. 12-3923 |
| | : | |
| v. | : | CRIMINAL ACTION No.08-245 |
| | : | |
| RICHARD PIERCE | : | |

ORDER

AND NOW, this 22nd day of August, 2013, it is ORDERED the Government's Motion to Dismiss Petition Under 28 U.S.C. § 2255 (Document 37) is GRANTED. Petitioner Richard Pierce's pro se Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 (Document 35) is DISMISSED.

It is further ORDERED Pierce's Motion for Leave to Amend His § 2255 Petition Under Federal Rule of Civil Procedure 15(a) (Document 45) is DENIED as futile.

The Court declines to issue a certificate of appealability. The Clerk of Court shall mark both of the above-captioned cases CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez